

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NORTHLAND INSURANCE COMPANY, Plaintiff, v. LINCOLN GENERAL INSURANCE COMPANY, et al., Defendants.

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LINCOLN GENERAL INSURANCE COMPANY, Third Party Plaintiff, v. WOOLEVER BROTHERS TRANSPORTATION INC., Third Party Defendant.

(51)  
12-19-02  
FILED  
HARRISBURG  
OCT 19 2002  
MARY E. GRIFFIN, CLERK  
S. J. BROWN, DEPUTY CLERK  


ORDER

On October 2, 2001, Defendant Woolever Brothers Transportation Inc. ("Woolever") filed a counterclaim against Lincoln General Insurance Company alleging defamation, slander, libel, and bad faith. (Doc. No. 10). Since filing the counterclaim, Woolever has failed to submit a pretrial memorandum as required by order of this Court dated September 17, 2002 (Doc. No. 42). Moreover, Woolever failed to attended the pretrial conference held December 18, 2002 in violation of this Court's order and local rule 16.2. It appears, therefore, that Woolever has abandoned its counterclaim.

Accordingly, **IT IS ORDERED** that **WOOLEVER SHALL SHOW CAUSE**, no later than January 9, 2003, why the counterclaim against Lincoln General Insurance Company shall not be dismissed for failure to prosecute. Failure to show cause by that date will result in the dismissal of the counterclaim.



Yvette Kane  
Yvette Kane  
United States District Judge

Date: 12/19, 2002